

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Noaki Hatta, et al.

Serial No.: 10/577,279

Filed: February 5, 2008

For: CATHODE MATERIAL FOR SECONDARY BATTERY, METHOD FOR
PRODUCING CATHODE MATERIAL FOR SECONDARY BATTERY AND
SECONDARY BATTERY

Group: 1726

Examiner: Weiner, Laura S.

Durham, North Carolina
September 8, 2011

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Remarks Clarifying Status of The Drawings

Sir:

These Remarks are being submitted contemporaneously with an Amendment of today's date in connection with the above-identified U.S. patent application.

An earlier Amendment, filed May 3, 2011 in this application, was accompanied by two attachments ("Reference Figure 1" and "Reference Figure 2," respectively). Reference Figures 1 and 2 were included solely for the purpose of explaining and supporting various arguments made

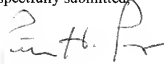
in the May 3, 2011 Amendment. Thus, Reference Figures 1 and 2 were exactly that – “*reference*” figures” – for purposes of illustrating the written arguments in the May 3, 2011 Amendment.

The June 8, 2011 Office Action, at paragraphs 5 and 6, contains erroneous objections based on Reference Figures 1 and 2, as well as an erroneous request for corrected, replacement drawing sheets. These erroneous objections arose from the USPTO’s apparent misunderstanding of the purpose and nature of these Reference Figures 1 and 2.

This will confirm the June 22, 2011 telephone discussion between Examiner Weiner and Applicants’ attorney Ronald Goldstein, clarifying that Reference Figures 1 and 2 are not part of the official set of drawings (i.e., Figures 1-26) filed with the application and described in the specification. Nor are Reference Figures 1 and 2 intended to replace or amend any of the existing Figures 1-26.

Please feel free to telephone the undersigned attorney if there are any remaining questions about the drawings.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "P.H. Priest", written over a light blue rectangular background.

Peter H. Priest
Reg. No. 30,210
Priest & Goldstein, PLLC
5015 Southpark Drive, Suite 230
Durham, NC 27713-7736
(919) 806-1600